

IN THE DISTRICT COURT OF THE
SOUTHERN DISTRICT OF FLORIDA
CASE NO. ~~98-384 CR-HURLEY/VITULO~~ C

UNITED STATES OF AMERICA,

50-6255

Plaintiff,

-vs-

FRANKIE LaFONTANT
a/k/a Gregory Lawrence,

Defendant.

DEFENDANT'S OBJECTIONS TO MAGISTRATE RECOMMENDATION

COMES NOW the Defendant, by and through undersigned counsel, who offers the following objections to the findings and recommendations rendered from the bench by the U.S. Magistrate following a hearing on the Defendant's Motion to Suppress on August 18, 1998.

1. In her findings of fact, the U.S. Magistrate noted that "the victim of the shooting has always identified this Defendant through testimony and statements given, as being involved in the shooting." The evidence adduced at the probation hearing in this case does not support this conclusion. In fact, the victim only identified this Defendant as being involved in the shooting during police questioning at his hospital room. At all other times—immediately after the